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8 *Counsel for Plaintiff*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 LEX TECNICA, LTD., a Nevada limited
liability company,

12 Plaintiff,

13 vs.

14 VANGUARD FIELD STRATEGIES, LLC, a
Texas limited liability company; AXIOM, LLC
15 dba AXIOM STRATEGIES, a Texas limited
liability company; DOES 1 through 100,
16 inclusive; and ROE Business Entities 1
through 100, inclusive;

17 Defendants.
18

Case No.: 2:23-cv-00069-APG-EJY

STIPULATION AND ORDER

19
20 The parties, by and through their respective counsel of record, hereby stipulate and agree as
21 follows:

22 WHEREAS, on January 12, 2023, Community Schools Initiative (“CSI”) filed its Complaint
23 against Vanguard Field Strategies, LLC (“Vanguard”) (ECF No. 1);
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1 WHEREAS, on March 20, 2023, CSI filed its First Amended Complaint (ECF No. 9) adding
2 additional defendants Jeff Roe (“Roe”), Axiom LLC (“Axiom”), and Garrison Management Group,
3 LLC (“Garrison”);

4 WHEREAS, on April 24, 2023, Defendants filed a Motion to Dismiss (ECF No. 18) the
5 First Amended Complaint, in which it argues that (1) if CSI assigned its rights to Lex Tecnica, Ltd.
6 as alleged, CSI is no longer the real party in interest and lacks standing to bring this action, and
7 (2) this Court lacks personal jurisdiction over defendants Roe, Axiom, and Garrison;

8 WHEREAS, on May 8, 2023, CSI filed a Response to the Motion to Dismiss (ECF No. 22),
9 which references it filed and served a Second Amended Complaint pursuant to Fed. R. Civ. P.
10 15(a)(1)(B);

11 WHEREAS, the Second Amended Complaint (1) substitutes Lex Tecnica, Ltd. for CSI as
12 Plaintiff, and (2) dismisses Roe and Garrison from the case (ECF No. 21);

13 WHEREAS, in response to the Second Amended Complaint, Defendants filed (1) a Reply
14 in Support of their Motion to Dismiss (ECF No. 23), which included a request to strike the Second
15 Amended Complaint and argued the Second Amended Complaint did not moot its Motion to
16 Dismiss Axiom; and (2) a Motion to Strike the Second Amended Complaint (ECF No. 24);

17 WHEREAS, in an effort to save resources and in furtherance of judicial economy, the parties
18 have met and conferred and have come to an agreement regarding the status of aforementioned
19 pleadings and motions.

20 THEREFORE, the parties hereby stipulate and agree that as of the date of this stipulation,
21 the Second Amended Complaint will be the operative pleading in this case with Lex Tecnica, Ltd.
22 substituted as the named plaintiff, and Roe and Garrison no longer defendants.

23 THEREFORE, the parties further stipulate and agree that while all defenses asserted in the
24 Motion to Dismiss (ECF No. 18), Reply in Support of Defendants’ Motion to Dismiss (ECF No.
25 23), and Motion to Strike (ECF No. 24) are preserved for future filing, ECF Nos. 18, 23 and 24 are
26 hereby voluntarily withdrawn.

1 THEREFORE, the parties further stipulate and agree that the remaining Defendants,
2 Vanguard and Axiom, shall have until June 16, 2023, to Answer, move or otherwise respond to the
3 Second Amended Complaint.

4 **IT IS SO STIPULATED.**

5 DATED this 2nd day of June, 2023.

 DATED this 2nd day of June, 2023.

6 **TAKOS LAW GROUP, LTD.**

ARMSTRONG TEASDALE LLP

7 /s/ Zachary P. Takos
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12 *Counsel for Plaintiff*

Counsel for Defendants

13
14 **IT IS SO ORDERED.**

15
16 
UNITED STATES MAGISTRATE JUDGE

17 DATE: June 2, 2023